

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2009-301-T**

IN RE: Petition of the Office of Regulatory Staff to )	
Rescind the Order of the Public Service )	MOTION TO RESCIND
Commission Granting a Class C Non- )	COMMISSION ORDER
Emergency Certificate of Public )	NO. 2009-548
Convenience and Necessity to Jerry Cannon )	
Cannon Logistics For Failure to Comply )	
with Commission Order No. 2009-548 )	

The Office of Regulatory Staff (“ORS”) hereby moves and requests that the Public Service Commission of South Carolina (“Commission”) Rescind its Order Number 2009-548 issued in the above Docketed matter on August 11, 2009.

As stated in that Order, the Commission ruled that the Applicant Jerry Cannon DBA Cannon Logistics (“CANNON” or “Applicant”) was to file or cause to have filed with the Office of Regulatory Staff (“ORS”) within sixty (60) days of the Order “the proper license fees, proof of liability insurance (i.e. “Form E”), and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 (Supp. 2009) of the Commission’s Rules and Regulations for Motor Carriers....”,

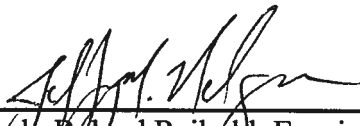
In support of this Motion, ORS would respectfully show:

1. That as of December 3, 2009, the ORS has not yet received from the Applicant CANNON the proof of insurance as required by 26 S.C. Code Regs.103-171. See, Affidavit of Carole Chauvin attached hereto as Attachment A.

2. That as a result of the Applicants failure to provide the ORS with the Form E, the Applicant CANNON has not been issued a Certificate of Public Convenience and Necessity and has failed to comply with the terms of Commission Order No. 2009-548.

WHEREFORE, the ORS moves and requests that the Commission grant this Motion to Rescind Order No. 2009-548 based on the Applicant Cannon's failure to comply with the terms and conditions of that Order. Further, the ORS requests that subsequent to the issuance of the Commission Order in this matter that this Docket be closed.

OFFICE OF REGULATORY STAFF



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Shealy Boland Reibold, Esquire  
Jeffrey M. Nelson, Esquire  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201  
(803) 737-0800

January 5, 2010  
Columbia, South Carolina



AND FURTHER THE AFFIANT SAYETH NOT.

Carole Chauvin

Carole Chauvin  
Program Specialist, Transportation Department  
Office of Regulatory Staff  
1441 Main Street Suite 300  
Columbia, South Carolina 29201

Sworn and subscribed before me  
this 3<sup>rd</sup> day of Dec, 20 09

J. Gary RPP  
Notary Public for South Carolina

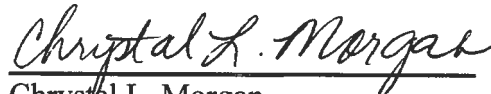
My Commission Expires: 5/11/2010

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2009-301-T**

Application of Jerry Cannon DBA Cannon	)	
Logistics Class C Non-Emergency Certificate	)	CERTIFICATE OF SERVICE
of Public Convenience and Necessity for Operation	)	
of Motor Vehicle Carrier	)	

This is to certify that I, Chrystal L. Morgan, have this date served one (1) copy of the **MOTION TO RESCIND COMMISSION ORDER NO. 2009-548** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Jerry Cannon DBA Cannon Logistics  
P.O. Box 5773  
Florence, SC 29502

  
\_\_\_\_\_  
Chrystal L. Morgan

January 5, 2010  
Columbia, South Carolina